



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

18/353942

A/FWC

In re Application of:)
Thomas Joseph Segatta et al)
For: TIRE WITH APEX RUBBER)
BLEND)
Serial No. 07/945,465)
Filed: September 16, 1992)

Docket No. 91221A
Art Unit: 1301
Examiner: A Johnstone

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Pre B
V. Dwy
2/6/95

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Washington, D.C. 20231

FILE WRAPPER CONTINUING APPLICATION (FWC) (37 C.F.R. §1.62)

Dear Sir:

I. This is a request for a filing under the file wrapper continuing application procedure, 37 C.F.R. §1.62, for a:

Continuation
 Divisional
 Continuation-in-part (for oath or declaration see III below) and an amendment for added subject matter of prior complete application Serial No. XX, filed on XX.

(further particulars of prior application are)

1. Title: **TIRE WITH APEX RUBBER BLEND**

2. Name of applicant(s) (as originally filed and if different as last amended) and current correspondence address of applicant(s):

1507 10 GP 1301

FULL NAME OF INVENTOR		
LAST	FIRST	MIDDLE
Segatta <i>1W</i>	Thomas	Joseph
RESIDENCE & CITIZENSHIP		
CITY	STATE OR FOREIGN COUNTRY	CITIZENSHIP
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FULL NAME OF INVENTOR		
LAST	FIRST	MIDDLE
Sandstrom <i>2W</i>	Paul	Harry
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FULL NAME OF INVENTOR		
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FULL NAME OF INVENTOR		
LAST	FIRST	MIDDLE
RESIDENCE & CITIZENSHIP		
CITY	STATE OR FOREIGN COUNTRY	CITIZENSHIP
POST OFFICE ADDRESS		
ADDRESS	CITY/STATE	ZIP CODE

The above identified application, in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. §122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. §1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

II. Inventorship Statement

(a) This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are:
 the same
 less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted: _____

(b) This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application whose particulars are set out above the inventor(s) in this application are:
 the same
 add the following additional inventor(s):

III. Declaration or oath

(a) Continuation or divisional
 None required

(b) Continuation-in-part
 Attached
 Not attached

IV. Identification of Claims for Further Prosecution

- The fees to be charged are to be based on the number of claims remaining as a result of the:
- attached preliminary amendment
- the unentered amendment filed under 37 C.F.R. §1.116 in the prior application, which is now repeated
- the claims as on file in the prior application.

V. Fee Calculation (37 C.F.R. §1.16)

CLAIMS FOR FEE CALCULATION

Basic Fee \$730.00

Additional fees:

Total number of claims in
excess of 20, times \$22.00 0.00

Number of independent claims
minus 3, times \$76.00 0.00
TOTAL FILING FEE \$730.00

- The fee for extra claims is not being paid at this time.

VIII. Fee Payment Being Made at This Time

Not attached

- No filing fee is submitted. This and the surcharge required by 37 C.F.R. §1.16(e) can be paid subsequently.)

Attached

- Filing fee - \$730
- Recording assignment (\$8.00; 37 C.F.R. §1.21(h)). See item XII below.

Petition fee for filing by other than all the inventors or person not the inventor where inventor refused to sign or cannot be reached (\$130.00); 37 C.F.R. §1.47 and §1.17(h)

Processing and retention fee (\$130.00; 37 C.F.R. §1.53(d) and §1.21(l))

Total fees enclosed - \$XX

IX. Method of payment of fees

attached is check in the amount of \$XX

charge Deposit Account No. 07-1725 in the amount of \$730

A duplicate of this request is attached.

X. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional filing fees which may be required by this paper or credit any overpayment to Deposit Account No. 07-1725.

XI. Relate Back 35 U.S.C. §120

Amend the specification by inserting before the first line the sentence: "This is a

continuation

divisional

continuation-in-part

of copending application(s) now abandoned

serial number 07/945,465, filed on September 16, 1992

International Application XX filed on XX and which designated the U.S.

XII. Assignment

the prior application is assigned of record to The Goodyear Tire & Rubber Company.

[] an assignment of the invention to XX is attached
[X] the prior application is assigned but not of record.

XIII. Power of Attorney

The power of attorney in the prior application is to:

B J Hendricks, Reg. No. 30,262
A T Rockhill, Reg. No. 30,417
H C Young, Reg. No. 22,329
R P Yaist, Reg. No. 24,804
J A Rozmajzl, Reg. No. 24,432
M R Dion, Reg. No. 31,347

(a) [X] The power appears in the original papers in the prior application.
(b) [] The power does not appear in the original papers, but was filed on XX.
(c) [] A new power has been executed and is attached.
(d) [X] Address all future communications to:

Bruce J Hendricks, Reg. No. 30,262

Department 823

The Goodyear Tire & Rubber Company

1144 East Market Street

Akron, Ohio 44316-0001

Telephone: (216) 796-3151

XIV. Maintenance of Copendency of Prior Application

[X] A petition, fee and response has been filed to extend the term in the pending prior application until December 21, 1994.
[X] A copy of the petition for extension of time in the prior application is attached.

XV. Conditional Petitions for Extension of Time in Prior Application

- A conditional petition for extension of time is being filed in the pending prior application.
- A copy of the conditional petition for extension of time in the prior application is attached.

Abandonment of Prior Application

- Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application. At the same time, please add the words "now abandoned" to the amendment to the specification set forth in XI above.

Respectfully submitted,



Attorney for Applicant(s)

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BJH:klh